

**REMARKS**

Claims 36-39, 44-47 and 53-56 are pending. By this Amendment, claims 36, 38 and 44-46 are amended, claims 53-56 are added, and non-elected, withdrawn claims 1-35 and 48-52 are canceled. Applicants reserve the right to file one or more Divisional Applications to pursue the canceled, non-elected claims. The independent claims are amended to even more clearly distinguish over the applied reference. Support for the features added to independent claims 36 and 44 can be found in the original specification at, for example, page 23, line 34 - page 24, line 9 and in Figs. 13 and 14. Support for the features added to independent claims 45 and 46 can be found in the original specification at, for example, page 9, lines 6-24, page 10, line 6, page 10, lines 10-13 and page 30, lines 4-10. Support for new dependent claims 53-56 can be found in the original specification at, for example, page 6, lines 20-23 and in the drawings. Thus, no new matter is added by the above amendments.

**I. Information Disclosure Statement**

An Information Disclosure Statement was filed in this application on April 6, 2001. The previous Office Actions have not acknowledged receipt or consideration of the Information Disclosure Statement. The Examiner is requested to consider the Information submitted with the April 6, 2001 Information Disclosure Statement and to forward an initialed PTO-1449 with the next Patent Office communication. A copy of the PTO-1449 from the April 6, 2001 Information Disclosure Statement is attached for the Examiner's convenience.

**II. Amendment of Inventorship**

In view of the cancellation of the non-elected claims, the inventorship of this application is amended. The Patent Office is requested to act on the attached Amendment of Inventorship.

**III. All Pending Claims are Patentable**

Claims 36-38 and 44-46 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,266,483 to Okada et al. This rejection is respectfully traversed.

Okada et al. does not disclose or suggest the combinations of features recited in independent claims 36 and 44-46. Accordingly, claims 36-39, 44-47 and 53-56 are patentable.

Regarding independent claim 36, Okada et al. does not disclose or suggest the claimed controller that controls the recording circuit to interrupt the recording of the digital image data when recording instructions of the visual broadcast program are detected during the recording of the digital image data. With respect to independent claim 44, Okada et al. does not disclose or suggest the claimed controller that controls the play back circuit to interrupt the play back of the digital image data when play back instructions of the visual broadcast program are detected during the play back of the digital image data. As discussed in the specification, these features prevent recording or play back of the visual broadcast program from being missed if the user happens to be recording or playing back digital image data at the time when visual broadcast program recording or play back is instructed to occur. In Okada et al., each operation is specifically programmed, and thus a first recording or play back operation is specifically stopped with a stop command. See, for example, col. 16, lines 49-50 of Okada et al. A pre-programmed stopping of a recording or play back operation does not correspond to interrupting that operation when instructions are received to record or play back a different (visual broadcast program) record or play back operation. Accordingly, independent claims 36 and 44, along with their dependent claims, are patentable over Okada et al.

Regarding independent claims 45 and 46, Okada et al. does not disclose or suggest an arrangement in which a same one of the plurality of manual operation members starts play

back (claim 45) or recording (claim 46) of the still image and the visual broadcast program. These combinations of features enable a more simplified arrangement of operation members. Accordingly, claims 45 and 46, along with their dependent claims, are patentable over Okada et al.

Withdrawal of the rejection is requested.

Claim 47 stands rejected under 35 U.S.C. §103(a) over Okada et al. In addition, claim 39 stands rejected under 35 U.S.C. §103(a) over Okada et al. in view of WO 92/22983 to Brown et al. These rejections are respectfully traversed. Claims 39 and 47 are patentable for at least the reasons set forth above with respect to their corresponding independent claims 36 and 46. Withdrawal of the rejections is requested.

#### **IV. Conclusion**

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/sas

Attachments:

April 6, 2001 PTO-1449  
Request for Continued Examination  
Petition for Extension of Time  
Request to Amend Inventorship

Date: September 20, 2006

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